

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Martin et al.
U.S. Serial No.: 10/518,003
Confirmation No.: 6708
Filed : March 14, 2005
For : IN-VIVO ENERGY DEPLETING STRATEGIES FOR
KILLING DRUG-RESISTANT CANCER CELLS
Examiner : Lawrence E. Crane
Art Unit : 1623

Law Offices of Albert Wai-Kit Chan, PLLC
World Plaza, Suite 604
141-07 20th Avenue
Whitestone, New York 11357

October 2, 2007

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST FOR CONTINUED EXAMINATION (RCE)

A Final Office Action was issued on April 2, 2007 in regard to the above-identified application. A Response to the Final Office Action was filed on June 1, 2007 and a Terminal Disclaimer was consequently filed on July 20, 2007. This RCE is being filed currently prior to any communication from the USPTO since then.

There is a three-month deadline from the mailing date of the Final Office Action to file a Request for Continued Examination. Since the three-month deadline passed on July 2, 2007, Applicants hereby Petition for a three-month Extension of Time. However, Applicants maintain that no petition fee for extension of time is

Applicants :	Martin et al.	Atty. Dkt. No.	: 636-C-PCT-US
USSH	: 10/518,003	Art Unit	: 1623
Filed	: March 14, 2005	Date of RCE	: October 2, 2007
Examiner	: Lawrence E. Crane		
Page	: 2		

required because there was no Advisory Action issued. Nevertheless, if additional fee is deemed necessary, Applicants hereby authorize to charge the amount of any such fee to Deposit Account No. 50-1891.

The fee for the RCE is FOUR HUNDRED AND FIVE DOLLARS (\$405.00) for small entity. Applicants hereby authorize the charge to Deposit Account No. 50-1891. A copy of the Request for Continued Examination Transmittal is attached herein as **Exhibit A** (1 page, in duplicate).

If a telephone interview would be of assistance in advancing prosecution of the subject application, Applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

No fee other than the FOUR HUNDRED AND FIVE DOLLARS (\$405.00) fee for the Request for Continued Examination is deemed necessary in connection with the filing of this Communication. However, if any additional fee is required, authorization is given to charge the amount of any such fee to Deposit Account No. 50-1891.

Respectfully submitted,

Albert Wai-Kit Chan

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EXHIBIT A

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Request for Continued Examination (RCE) Transmittal

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/518,003
Filing Date	March 14, 2005
First Named Inventor	Daniel S. Martin
Art Unit	1623
Examiner Name	Lawrence E. Crane
Attorney Docket Number	636-C-PCT-US

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **[Submission required under 37 CFR 1.114]** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☒ Other Response to Final Office Action filed on June 1, 2007
- b. ☐ Enclosed
- i. ☐ Amendment/Reply
- iii. ☐ Information Disclosure Statement (IDS)
- ii. ☐ Affidavit(s)/ Declaration(s)
- iv. ☐ Other _____
2. **Miscellaneous**
- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____
3. **Fees**
- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to Deposit Account No. 50-1891. I have enclosed a duplicate copy of this sheet.
- a. ☒
- i. ☐ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	<u>Robert Wai Kit Chan</u>	Date	October 2, 2007
Name (Print/Type)	Albert Wai-Kit Chan	Registration No.	36,479

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature	
Name (Print/Type)	
Date	

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Signature	<u>Albert Wai-Kit Chan</u>	Date	October 2, 2007
Name (Print/Type)	Albert Wai-Kit Chan	Registration No.	36,479

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